

# EXHIBIT A

# BUILDING YOUR CIVIL TRIAL SKILLS

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› *Meet the challenges of civil practice  
with these practical techniques!*

**MORGANTOWN, WEST VIRGINIA — May 19, 2010**

**CHARLESTON, WEST VIRGINIA — May 20, 2010**

**PRESENTED BY**

Stephen S. Burchett

Thomas C. Cady

Michelle Hoosier

Robert P. Martin

Joy B. Mega

Hon. Larry V. Starcher

Suzanne M. Weise

**CONTINUING EDUCATION**

CLE - 7.2

NALA - 6.0 (pending)

NFPA - 6.0

*See inside for details!*

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## SEMINAR OUTLINE

### I. HOW TO SELECT THE RIGHT JURY FOR YOUR CASE

9:00 - 10:45, Written by Robert P. Martin.

*Presented by Hon. Larry V. Starcher, Suzanne M. Weise, and Thomas C. Cady in Morgantown, and Robert P. Martin in Charleston.*

- A. Preparing for Jury Selection
- B. Uncovering Cultural and Prejudicial Biases
- C. FAQs About Jury Instructions
- D. Making a Connection With Potential Jurors
- E. Uncovering Attitudes, Biases and Values That May Impact Your Case
- F. The Art of Asking the Right Questions
- G. Importance of Active Listening
- H. Preemptory Challenges and Challenges for Cause
- I. Using Jury Surveys and Questionnaires

### II. HOW TO PRESENT YOUR CASE AT TRIAL

11:00 - 1:00, Written by Stephen S. Burchett.

*Presented by Hon. Larry V. Starcher, Suzanne M. Weise, and Thomas C. Cady in Morgantown, and Stephen S. Burchett in Charleston.*

- A. Opening Statements - Effectively Delivering the Burden of Proof
- B. Effectively Using Evidence to Support Your Case
- C. Tips and Techniques for Direct Examination
- D. Successful Cross-Examination
- E. How and When to Make Objections
- F. Using Rebuttal to Cast Doubt on the Other Side
- G. Powerful Closing Arguments

### III. HOW TO HANDLE POST-TRIAL ISSUES

2:00 - 3:15, Written by Michelle Hoosier.

*Presented by Hon. Larry V. Starcher, Suzanne M. Weise, and Thomas C. Cady in Morgantown, and Michelle Hoosier in Charleston.*

- A. Judgment - Where do You go From Here?
- B. Motions After the Verdict - What is Allowed in Your State?
- C. Appeals - What Constitutes Requesting a Higher Court's Review?

### IV. HOW TO AVOID COMMON ETHICAL PITFALLS

3:30 - 4:30, Written by Joy B. Mega.

*Presented by Hon. Larry V. Starcher, Suzanne M. Weise, and Thomas C. Cady in Morgantown, and Joy B. Mega in Charleston.*

- A. Handling Highly Prejudicial Evidence
- B. Handling Questions of Jurors During Voir Dire
- C. Talking to Witnesses Before They Testify
- D. Identifying and Avoiding Conflicts of Interest

\*If needed, the above agenda may be changed to best accommodate all of our attendees.

## WHO SHOULD ATTEND

This **basic-to-intermediate level seminar** is designed to assist civil litigators and paralegals in increasing their effectiveness in the civil arena.

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## UPCOMING VIDEO WEBCASTS

Video webcasts offer attendees the opportunity to gain continuing education training through streaming audio and video.

You will also be able to view and print the reference manual, and submit questions electronically for live responses!

Check out some of these upcoming video webcasts!

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|-----------------|--|
| <b>March 16</b> | Using LLCs Effectively (52523ER)   |
| <b>March 18</b> | Law Firm Rainmaking: Creating Your Presence and Building Your Reputation (52932ER) |
| <b>March 25</b> | The Secrets of Networking and Relationship Building (52933ER)                      |
| <b>March 31</b> | Legal Ethics 101: Malpractice Prevention and Conflicts of Interest (53406ER)       |

To register, visit us online at [www.nbi-sems.com](http://www.nbi-sems.com) or call 800-930-6182.

## TELECONFERENCES

Can't leave the office for an entire day?

You can still gain the training and education you need. No need to leave the office, relevant topics and convenient 1 to 2 hour training sessions are rolled into one. Check out some of these upcoming teleconferences!

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| <b>March 9</b>  | Create Engagement Agreements That Reduce Client Fee Disputes (52403ER)                   |
| <b>March 17</b> | Bankruptcy in Divorce (52461ER)  |
| <b>March 22</b> | Legal Ethics in Settlement Negotiations (52401ER)  |
| <b>March 24</b> | New HIPAA Requirements for Businesses Working With Covered Healthcare Entities (52081ER) |
| <b>March 31</b> | Dividing the Family Business in Divorce (52462ER)  |

To register, visit us online at [www.nbi-sems.com](http://www.nbi-sems.com) or call 800-930-6182.

## BOOKSTORE

To order any of the audio and reference materials below, please order online or call 800-930-6182. For more topics, visit us online — [www.nbi-sems.com](http://www.nbi-sems.com)

manual — \$99      cd and manual — \$199

Note: Prices may vary by topic when looking online.

### HANDLING MEDICAL NEGLIGENCE CLAIMS

© May 2009 - 89 Pages (FP48833)

By: Rob J. Aliff, Stephen S. Burchett, Madonna C. Estep and Erik W. Legg.

### SUBROGATION AND LIENS IN AUTO ACCIDENT LITIGATION

© September 2009 - 137 Pages (FP50149)

By: Matthew Lee Garretson, Stephen C. Littlepage, Randall L. Trautwein, Sylvius H. von Saucken and Peter H. Wayne.

### EXAMINING AND RESOLVING TITLE ISSUES

© April 2009 - 167 Pages (FP47328)

By: Robert N. File, Stephen J. Golder, Sherri D. Goodman and Stephen C. Gregory.

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## ANTOWN

Y is a professor of law at West Virginia University College teaches torts, insurance and workers' compensation. a visiting professor at the University of Houston and an in Fellow at Georgetown Law Center. Mr. Cady is the past Torts and Workers' Compensation Section of the AALS. degree from Rice University, his LL.B. degree from the and his LL.M. degree from Georgetown University. involved in numerous publications throughout his career Smith, "West Virginia's Automobile Insurance Policy Laws: ide," 97 W. Va. L. Rev. 583; "Alas and Alack, Modified igeance Comes to West Virginia," 82 W. Va. L. Rev. 473; onomy and the Law; The Hydrogen Economy and the Law, e Proceedings," 15 p.17; and L. Blank, T. Cady et al, *A Hydrogen*

**TARCHER** was a justice on the Supreme Court of Appeals of November 1996, he was elected as a Democrat in a partisan reme Court of Appeals. He served as chief justice in 1999 and from the Supreme Court of Appeals in December of if 2009, he has served as a lecturer in law at the West Virginia of Law teaching trial advocacy and pre-trial litigation. eviously served as circuit judge of Monongalia County in an assistant to the vice president for off-campus education of the North Central West Virginia Legal Aid Society and as e served as circuit judge for 20 years and 18 years as chief g as a circuit judge, Justice Starcher served as a special judge via's 55 counties. He presided over the trial of 20,000 asbestos six-month state buildings asbestos trial. In November 1996, the Supreme Court of Appeals. He served as chief justice and promoted action in several areas of judicial eifically: Court Facilities Committee; Public Trust and Judiciary; Mental Hygiene Commission; Court Technology esented Litigants Task Force; State Law Library Improvements; e Gender Fairness Task Force. Justice Starcher was president a Judicial Association in 1992-1993. As trial judge, he was if juvenile justice, including establishing alternative learning at risk and a youth shelter. He also pioneered the use of ommunity service as punishment for nonviolent offenders. ular instructor at judicial conferences, and has been honored community groups, including the NAACP, Jaycees, Trial tion Officers. In 1978, he was a fellow of the National e Humanities at Harvard University.

**ISE** is a lecturer in law at the West Virginia University College rves as a supervising attorney in the West Virginia University ical Law Program. Ms. Weise also engages in private

practice. Dr. Cummins specializes in environmental and administrative law, as well as law relating to public access to information. Her trial and appellate litigation experience includes issues arising under federal and state environmental regulatory statutes, freedom of information acts and state open governmental proceedings laws. Ms. Weise was awarded the National Public Justice Award for "Winning Exceptional Victories for the Public Interest" by the Trial Lawyers for Public Justice Foundation. She is co-editor of "Open Government Guide: West Virginia." Ms. Weise earned her A.B. degree from Boston University and her J.D. degree from the West Virginia University College of Law. She is a member of The West Virginia Bar Association.

## MAY 20 - CHARLESTON

**STEPHEN S. BURCHETT** is a partner with the Huntington law firm of Offutt & Nord, PLLC, where his areas of practice include medical malpractice defense, complex commercial litigation, natural resources law, product liability and insurers' bad faith. He has been named a West Virginia Super Lawyer in medical malpractice defense. Mr. Burchett earned his B.A. degree from the University of Virginia as a Jefferson Scholar and his J.D. degree from the University of Kentucky, where he served as president of the Student Bar Association. He is a member of the Boyd County, Kentucky (chair, Young Lawyers Section, Board of Governors) and American bar associations.

**MICHELLE HOOSIER** is an attorney at the Charleston law firm of Flaherty Sensabaugh & Bonasso, PLLC, where her practice areas include mass tort, toxic tort and general litigation. Ms. Hoosier's previous legal experience includes being a former summer clerk for the Wayne County Prosecuting Attorney's Office and Underwood Law Offices, Inc. She earned her B.A. degree, dean's list, from Marshall University and her J.D. degree, moot court board, from West Virginia University College of Law. She is a member of The West Virginia Bar Association.

**ROBERT P. MARTIN** is an attorney at the law firm of Bailey & Wyant P.L.L.C., where he focuses his practice on both civil and criminal litigation. Mr. Martin has tried more than 300 jury trials to verdict and has gone to verdict in a jury trial in each of the 55 counties in the state of West Virginia, 19 states other than West Virginia and one foreign country. He has been a frequent lecturer around the state of West Virginia and commonwealth of Kentucky in litigation related continuing legal education seminars. Mr. Martin earned his B.A. and M.A. degrees from West Virginia University and his J.D. degree from West Virginia University College of Law. He is a member of The West Virginia State Bar, Kanawha County Bar and the National Association of Criminal Defense Lawyers.

**JOY B. MEGA** is an attorney in the law firm of Bowles Rice McDavid Graff & Love LLP, where she represents employers before state and federal agencies, and advises employers on personal matters and human resource issues. Ms. Mega earned her B.A. degree, cum laude, from Marshall University and her J.D. degree from the West Virginia University College of Law. She is a member of The West Virginia State Bar, American Bar Association, Defense Trial Counsel of West Virginia, Defense Trial Counsel of West Virginia Employment Law Division and the Defense Research Institute. Ms. Mega is admitted to practice in the West Virginia Supreme Court of Appeals, U.S. District Courts for the Southern District of West Virginia and the 4th Circuit Court of Appeals.

## MORGANTOWN — MAY 19

Resort and Spa (304-594-1111)  
Review Drive, Morgantown WV 26508

## CHARLESTON — MAY 20

mit (304-343-0515)  
mers Street, Charleston WV 25301

## E

TIME 8:30 — 9:00 am

9:00 am — 4:30 pm

snacks and refreshments are provided. Lunch is on your own.

st registrant

additional registrant

professionals - save \$20!\*

nal is anyone with three or less years of professional work experience.

## DIRECTIONS & PARKING

To obtain directions and parking information, please contact the facility listed.

## FREE REFERENCE BOOK

*Building Your Civil Trial Skills*

Receive a comprehensive course book, included with your tuition, which you can take back to your office and use as a reference.

## AUDIO RECORDINGS

This seminar will be recorded in its entirety. If you can't attend, you can still obtain the benefits of the information provided by purchasing the manual and CD. See the registration form to order.

## CANCELLATION

Has your schedule changed? Visit us on the web or call one of our customer service representatives to learn more about your cancellation options.

## THE NBI GUARANTEE

Your satisfaction is our guarantee! If you aren't satisfied with a seminar or training resource, call or write us and we'll make it right.

\*Pre-registration is encouraged. If you need to register at the door, you may wish to call us first to confirm availability and to receive information regarding schedule or location changes.

## SEMINAR OVERVIEW

### ABOUT THIS SEMINAR

Gain the Skills That are Critical to Success in Civil Litigation

In the high-stakes world of civil litigation, how do you gain the advantage you need when every case is so different? Whether you're new to civil litigation or have practiced in this area in the past, having a firm foundation in the basics is essential to your success. Since each case needs special tailoring, your ability to handle the day-to-day issues with ease can really help when you get thrown a curve ball. Do you have a strong enough understanding of the fundamentals to handle whatever situation comes your way?

This comprehensive seminar will give you a good base to start with. Our experienced faculty will share with you their best strategies and techniques for achieving the most favorable outcome possible. After attending, you'll have enhanced methods for selecting the jury that will best support your side of the argument. Give a strong, persuasive delivery with our solid case presentation techniques. Know what your post-trial responsibilities are and how to carry them out in case of an appeal. Develop a reputation for integrity by adhering to strict ethical standards. Don't miss your opportunity to prepare yourself for success in the civil trial courtroom - *register today!*

### 6 BENEFITS OF ATTENDING

- Unearth jury pool prejudices, attitudes, biases and values that may affect your case.
- Deliver outstanding opening statements and make your closing arguments memorable.
- Effectively present evidence in order to shore up your case.
- Gain insider's techniques for effective direct and cross-examination.
- Identify instances when a case should be appealed to a higher court.
- Get practical strategies for ethically handling questions of jurors during voir dire.

### CREDIT INFORMATION

The specific continuing education credit(s) listed are for attending the live seminar. The credits may or may not apply for the audio version of this seminar. Please check with your credit board for details.

For additional questions regarding continuing education credits, please contact us at 866-240-1890.

**CLE - 7.2** - This program qualifies for 7.2 hours of credit, which includes 1.0 hour of ethics, under the West Virginia Rules for Mandatory Continuing Legal Education. Self-study credit is available.

**NALA - 6.0 - Pending.** This program has been submitted for credit with the National Association of Legal Assistants, Inc. Approval pending.

**NFPA - 6.0** - This seminar has been approved by The National Federation of Paralegal Associations, Inc. (NFPA) for 6.0 hours of Continuing Legal Education, including 1.0 hour of ethics. Self-Study credit is available.

**Register Today!**

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